

BILL NO. S-91-02- 36

SPECIAL ORDINANCE NO. S- 64-91

AN ORDINANCE approving the awarding of Reference #994 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and KELLEY CHEVROLET, INC. for the Water Maintenance & Service Department.

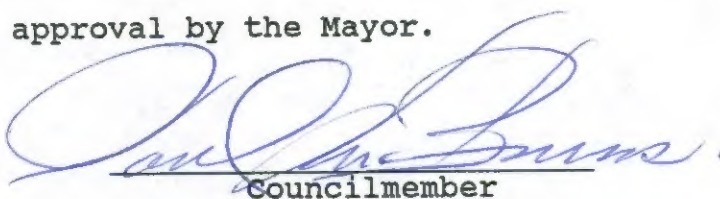
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #994 between the City of Fort Wayne, by and through its Department of Purchasing and KELLEY CHEVROLET, INC. for the Water Maintenance & Service Department, respectfully for:


the purchase of five (5) 1991 van type trucks for the Water Maintenance & Service Department;

involving a total cost of Seventy Thousand Four Hundred Ninety-One and no/100 Dollars (\$70,491.00), all as more particularly set forth in said Reference #994 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Councilmember

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

REF. NO.:	994
DEPT.:	WATER MAINTENANCE
DATE:	2/18/91
ITEM/SERV.:	5 VAN TYPE TRUCKS

PURCHASING INFORMATION

ADVERTISED BID:	YES
DATES ADVERTISED:	1/7/91 & 1/14/91
OPENING DATE:	1/31/91
WRITTEN QUOTE:	
DUE DATE:	
VERBAL QUOTE:	
SINGLE SOURCE:	

NO. OF VENDORS NOTIFIED:	8
NO. OF VENDORS RECEIVING BID:	4
NO. OF VENDORS RETURNING BID:	3
NO. OF VENDORS DISQUALIFIED:	1
NO. OF VENDORS NOT RESPONDING:	5

DATE SENT TO DEPT FOR RECOMM.:	1/31/91
DATE RECOMMENDATION REC'D IN PURCH:	2/14/91

COUNCIL INFORMATION	DATES SENT	EXTENSION DATES
DATE INFO SENT TO LAW DEPT.:	2/19/91	
INTRODUCTION DATE:	2/26/91	
DISCUSSION DATE:	3/5/91	
PASSAGE DATE:	3/12/91	
ORDINANCE NO.:		

REFERENCE NO. 994
5 VAN TYPE TRUCKS
WATER MAINTENANCE
2/6/91

DESCRIPTION	QTY	DEHAVEN	ALLEN CO MTRS	KELLEY CHEVY
PRICE		*	\$14,899.00	\$14,998.20
DISCOUNT			N/A	\$900.00
TOTAL UNIT			\$14,899.00	\$14,098.20
TOTAL FOR	5		\$74,495.00	\$70,491.00
MAKE			ECONOLINE E150	CHEVROLET
MODEL			WINDOW VAN	G-20

*DISQUALIFIED - NON-COLLUSION NOT NOTARIZED

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE 1-31-91 @ 11:00 AM BID REFERENCE # 994

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR FIVE (5) NEW 1991 MODEL VAN
TYPE TRUCKS PER SPECIFICATIONS

AND REQUESTED BY WATER MAINTENANCE & SERVICE

THIS BID REQUIRES A XXXX 5% BID BOND, CERTIFIED OR CASHIER'S
CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL
BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____ %
IF PAID WITHIN _____ DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Kelley Chevrolet, Inc.

STREET ADDRESS 500 EAST State BLVD.

CITY FORT WAYNE, IN PHONE # 484-5566

BY James L. Mauldin
REPRESENTATIVE SIGNATURE

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: JANUARY 28, 1991
 1. Governmental Unit: CITY OF FORT WAYNE
 2. County: ALLEN
 3. Bidder (Firm): Kelley Chevrolet, Inc.
 Address: 500 EAST STATE BLVD.
 City/State: FORT WAYNE, IN. 46805
 4. Telephone Number: 219-484-5566
 5. Agent of Bidder (if applicable): _____

Pursuant to notices given, the undersigned offers bid(s) to CITY OF FORT WAYNE (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

John L. Pawlar
 Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount
	5		Chev. G20 CARGO VAN	\$14,098.34	\$70,491.50

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
) SS:
Allen COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone of such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Kelley Chevrolet, Inc.
 Bidder (Firm)

Signature of Bidder or Agent

Subscribed and sworn to before me this 28th day of JAN, 1991.

My Commission Expires: 05/27/91
 County of Residence: allen

CASEY J. JONES
 Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Name(s): _____

Date: _____



FIREMAN'S FUND INSURANCE COMPANY
 THE AMERICAN INSURANCE COMPANY
 NATIONAL SURETY CORPORATION
 ASSOCIATED INDEMNITY CORPORATION
 AMERICAN AUTOMOBILE INSURANCE COMPANY

BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we, Kelley Chevrolet, Inc.
 500 East State, Fort Wayne, IN 46805
 as Principal, hereinafter called the Principal, and Fireman's Fund Insurance Company

a corporation duly organized under the laws of the State of California
 as Surety, hereinafter called the Surety, are held and firmly bound unto City of Fort Wayne
 City-County Building, Room 350
 1 Main Street
 Fort Wayne, IN

as Obligee, hereinafter called the Obligee, in the sum of Five Percent (5%) of Maximum Bid-----
 -----Dollars (\$-----)

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Supplying 5 - 1991 Chevrolet 3/4 Ton Cargo Vans

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or contract documents with good and sufficient surety for the faithful performance of such contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this

31st

day of

January

A.D. 19 91

John L. Neven
 (Witness)

Kelley Chevrolet, Inc.

(Principal)

(Seal)

By: *First Manager*
 (Title)

Isabelle Comperat
 (Witness)

Fireman's Fund Insurance Company

(Surety)

(Seal)

By: *Jannett K. Yuhas*
 Jannett K. Yuhas Attorney in fact

FIREMAN'S FUND INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That FIREMAN'S FUND INSURANCE COMPANY, a Corporation duly organized and existing under the laws of the State of California, and having its principal office in the County of Marin, State of California, has made, constituted and appointed, and does by these presents make, constitute and appoint HARRY A. CRAWFORD, RONALD J. HARRUFF, LEONARD B. KOELLER, JAMES E. VAN DYCK, HAROLD E. EVERETT, DUWAN F. TAGTMEYER, JEFFREY C. JOHNSON, CONNIE S. OVERHOLSER, LORETTA A. SPRING, SUZANNE HOPPER, CARLA J. McQUEEN, VICKI L. LEININGER and JANNETT K. YUHAS jointly or severally its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, seal, acknowledge and deliver any and all bonds, undertaking, recognizances or other written obligations in the nature thereof

and to bind the Corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises.

This power of attorney is granted pursuant to Article VII, Sections 45 and 46 of By-laws of FIREMAN'S FUND INSURANCE COMPANY now in full force and effect.

"Article VII. Appointment and Authority of Resident Secretaries, Attorney-in-Fact and Agents to accept Legal Process and Make Appearances.

Section 45. Appointment. The Chairman of the Board of Directors, the President, any Vice-President or any other person authorized by the Board of Directors, the Chairman of the Board of Directors, the President or any Vice-President may, from time to time, appoint Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the Corporation and Agents to accept legal process and make appearances for and on behalf of the Corporation.

Section 46. Authority. The authority of such Resident Assistant Secretaries, Attorneys-in-Fact and Agents shall be as prescribed in the instrument evidencing their appointment. Any such appointment and all authority granted thereby may be revoked at any time by the Board of Directors or by any person empowered to make such appointment."

This power of attorney is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of FIREMAN'S FUND INSURANCE COMPANY at a meeting duly called and held on the 7th day of August, 1984, and said Resolution has not been amended or repealed:

"RESOLVED, that the signature of any Vice-President, Assistant Secretary, and Resident Assistant Secretary of this Corporation, and the seal of this Corporation may be affixed or printed on any power of attorney, on any revocation of any power of attorney, or on any certificate relating thereto, by facsimile, and any power of attorney, any revocation of any power of attorney, or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Corporation."

IN WITNESS WHEREOF, FIREMAN'S FUND INSURANCE COMPANY has caused these presents to be signed by its Vice-President, and its corporate seal to be hereunto affixed this 25th day of August, 19 89.



FIREMAN'S FUND INSURANCE COMPANY

By

R. D. Farnsworth

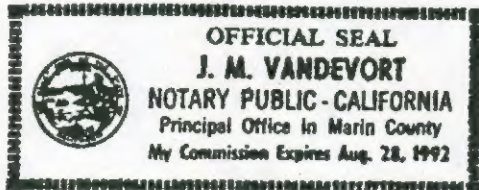
Vice-President

STATE OF CALIFORNIA
COUNTY OF MARIN

ss.

On this 25th day of August, 19 89, before me personally came R. D. Farnsworth to me known, who, being by me duly sworn, did depose and say: that he is Vice-President of FIREMAN'S FUND INSURANCE COMPANY, the Corporation described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation and that he signed his name thereto by like order.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year herein first above written.



J. M. Vandevort

Notary Public

CERTIFICATE

ss.

STATE OF CALIFORNIA
COUNTY OF MARIN

I, the undersigned, Resident Assistant Secretary of FIREMAN'S FUND INSURANCE COMPANY, a CALIFORNIA Corporation, DO HEREBY CERTIFY that the foregoing and attached POWER OF ATTORNEY remains in full force and has not been revoked; and furthermore that Article VII, Sections 45 and 46 of the By-laws of the Corporation, and the Resolution of the Board of Directors; set forth in the Power of Attorney, are now in force.

Signed and sealed at the County of Marin. Dated the 31st day of January, 19 91.



Loretta E. Pruetz

Resident Assistant Secretary

SPECIFICATIONS FOR FIVE (5) NEW 1991 MODEL, VAN TYPE TRUCKS INCLUDING ALL EQUIPMENT LISTED AS STANDARD IN MANUFACTURER'S PRINTED LITERATURE DESCRIBING THE VEHICLE, UNLESS SUPERSEDED BY SPECIAL EQUIPMENT SPECIFIED HEREIN:

			MEET SPECS
1. YEAR:	1991		<u>Yes</u>
2. G.V.W:	6600 LBS MINIMUM-3/4 TON WINDOW VAN 350 or 351 ENGINE		<u>Yes</u>
3. WHEELBASE:	125 INCHES MINIMUM		<u>Yes</u>
4. CAB & INTERIOR:	STANDARD W/DUAL PADDED VISORS BLACK INSULATED RUBBER/VINYL FLOOR MAT, AM&FM STEREO RADIO, CIGARETTE LIGHTER, RIGHT SIDE CARGO DOOR HINGED W/TIP OUT GLASS, REAR DOORS BOTH W/TIP OUT GLASS & REAR DOOR POSITIONS		<u>Yes</u>
5. WINDSHIELD WIPERS:	2-SPEED ELCTRIC W/WASHERS		<u>Yes</u>
6. MIRRORS:	2 OUTSIDE, 6"X9", WING-LOCK LOW PROFILE		<u>Yes</u>
7. HEATER/DEFROSTER W/ AIR CONDITIONER:	HEAVY DUTY FRESH AIR HIGH OUTPUT, AIR CONDITIONING W/MANUAL CONTROL, FRONT		<u>Yes</u>
8. SEATS:	TWO (2) HEAVY DUTY FULL FOAM, DRIVER AND RIDER		<u>Yes</u>
9. SEAT BELTS:	DRIVER AND RIDER		<u>Yes</u>
10. COLOR:	1 SINGLE COLOR LIGHT BLUE		<u>Yes</u>
11. GAUGES:	GAUGE-TYPE INDICATORS, AMP, OIL, WATER		<u>Yes</u>
12. ENGINE:	350 OR 351, W/HEAVY DUTY COOLING (PLEASE NOTE WHICH SIZE ENGINE YOU ARE BIDDING)		<u>350</u>
13. OIL FILTER:	FULL FLOW, 1 QRT CAPACITY		<u>Yes</u>
14. AIR CLEANER:	STANDARD		<u>Yes</u>
15. ELECTRICAL SYSTEM:	12-VOLT		<u>Yes</u>
16. BATTERY/ALTERNATOR:	HEAVY DUTY 70 AMP HR MAINTENANCE FREE, MIN. 100 AMP ALTERNATOR		<u>Yes</u>
17. DIRECTIONAL SIGNALS:	SELF-CANCEL, FRONT/REAR		<u>Yes</u>
18. CAB DOME LIGHT:	INSTALLED FRONT AND REAR		<u>Yes</u>
19. SHOCK ABSORBERS:	HEAVY DUTY, FRONT/REAR		<u>STD</u>
20. BUMPERS:	STANDARD FRONT/REAR		<u>Yes</u>
21. SPRINGS:	HEAVY DUTY, FRONT/REAR		<u>Rear ONLY</u>
22. AXLES:	FRONT-3400 LBS MIN. CAP., REAR-3800 LBS MIN. CAP.		<u>Yes</u>
23. TRANSMISSION:	3-SPEED AUTOMATIC W/EXTERNAL COOLER		<u>4 speed w/OD 3 speed not avail</u>
24. REAR END:	STANDARD AXLE RATIO W/LIMITED SLIP POSI-TRACTION		<u>Yes</u>

25. RUSTPROOFING:

THE FRAME, CHASSIS, FENDERS & BODY, ETC. Ziebart
EXCEPT FOR DRIVESHAFT SHALL BE COMPLETELY
RUSTPROOFED. RUSTPROOFING MUST BE IN
COMPLIANCE W/FEDERAL MILITARY SPECS. GSA
SPEC. FED-STD-297D-2-22-75, ENTIRE VEH.
MUST BE RUSTPROOFED BY A COMMERCIALY
ACCEPTABLE PRACTICE W/WARRANTY INDICATED

26. TIRES:

5 TUBELESS P 235/75R 15

Yes

27. BRAKES:

HEAVY DUTY, POWER BRAKES, DUAL SYSTEM

Yes

28. REFLECTORS, MARKER
& CLEARANCE LIGHTS:

INSTALLED TO MEET STATE REQUIREMENTS ON
ALL CLASS 1 & 3 TRUCKS

Clearance Light
not Available

29. WHEELS;

FIVE (5) 5 HOLE 15.0"X6" W/STANDARD
COVER

Yes

30. SPOTLIGHT:

HIGH INTENSITY, MOUNTED DRIVERS SIDE

Yes

31. MANUALS:

ONE SERVICE MANUAL FOR EACH VEHICLE

Yes

32. WARRANTIES:

GIVE DESCRIPTION OF ALL WARRANTIES AND
COMPONENT WARRANTIES AVAILABLE

3 YR-50,000 mi

33. POWER STEERING:

Yes

FOB: FORT WAYNE

MAKE:

Chevrolet

MODEL:

G-20

COST PER VAN:

\$14,998.30

LESS DISCOUNT:

\$ 900.00

TOTAL:

\$14098.30

DELIVERY TIME ARO:

6-8 weeks A.R.

VALIDITY OF BID PRICE:
(IN CALENDAR DAYS)

60 DAYS

Read the first time in full and on motion by Burns
seconded by Redd, and duly adopted, read the second time
title and referred to the Committee on City of Fort Wayne (and the
City Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Conference Room 128, City-County Building
Fort Wayne, Indiana, on _____, the _____, at _____ o'clock _____ M., E.S.

DATED: 2-26-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Burns
seconded by Redd, and duly adopted, placed on its
passage. PASSED ~~lost~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BRADBURY	<u>✓</u>			
BURNS	<u>✓</u>			
EDMONDS.				
GIAQUINTA	<u>✓</u>			<u>✓</u>
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
REDD	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 3-12-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) _____ (APPROPRIATION) _____ (GENERAL)
(SPECIAL) (ZONING MAP) _____ ORDINANCE RESOLUTION NO. 1-64-91
on the 12th day of March, 19 91.

Sandra E. Kennedy ATTEST
SANDRA E. KENNEDY, CITY CLERK

SEAL
Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 13th day of March, 19 91
at the hour of 1:30 o'clock _____ M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 18th day of March
19 91, at the hour of 8:45 o'clock 9 A M., E.S.T.

PAUL HELMKE
PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE: Special

D-91-02-36

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Ref. No. 994 for the purchase of five (5) 1991 van type trucks for the Water Maintenance & Service Department. The cost reflects the lowest and most responsive of two (2) vendors.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

EFFECT OF PASSAGE: Replacement vans for service area of department.

IF REPLACEMENT, WHAT NECESSITATES: High mileage increased maintenance cost, poor appearance. These will be given to the CU Garage.

EFFECT OF NON-PASSAGE: Would have increasing maintenance costs and poor appearance.

PRIOR APPROVAL REQUESTED:

MONIES INVOLVED: Kelley Chevy \$70,491.00

PRICE AGREEMENT:

PURCHASE ORDER: Yes

ACCOUNT INFORMATION: W M & S 513-523-B101-4441

PRIOR APPROVAL:
(IF APPLICABLE)

DATE:

S-91-02-36

PAUL M. BURNS, CHAIRMAN
CHARLES B. REDD, VICE CHAIRMAN
EDMONDS, LONG, SCHMIDT

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

NO REC

DATED:

Sandra E. Kennedy
City Clerk